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*Attorneys for Plaintiff Epic Games, Inc.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

EPIC GAMES, INC.,

Plaintiff,

V.

GOOGLE LLC et al.,

## Defendants

Case No. 3:20-CV-05671-JD

**DECLARATION OF M. BRENT  
BYARS IN SUPPORT OF EPIC  
GAMES, INC.'S  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER  
ANOTHER PARTY'S MATERIAL  
SHOULD BE SEALED**

1 I, M. Brent Byars, declare as follows:

2 1. I am a Senior Attorney at Cravath, Swaine & Moore LLP, counsel to Epic  
 3 Games, Inc. ("Epic") in the above-captioned actions. I am admitted to appear before  
 4 this Court *pro hac vice*.

5 2. I submit this declaration pursuant to Civil Local Rule 79-5. The contents  
 6 of this declaration are based on my personal knowledge.

7 3. Epic's Answer and Affirmative Defenses to Google's Counterclaims  
 8 contains portions that are sourced from documents that Defendants Google LLC,  
 9 Google Ireland Limited, Google Commerce Limited, Google Asia Pacific Pte. Limited,  
 10 and Google Payment Corp. (collectively, "Google") have designated as  
 11 "CONFIDENTIAL" pursuant to the Protective Order entered by the Court, ECF No.  
 12 189. The following Table shows the portions of Epic's Answer and Affirmative  
 13 Defenses to Google's Counterclaims that contain information designated as  
 14 "CONFIDENTIAL" by Google.

Portion Containing Confidential Information	Designating Party
¶ 29	Google

19 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the  
 20 foregoing is true and correct and that I executed this declaration on November 1, 2021  
 21 in East Hampton, New York.

23 /s/ M. Brent Byars  
 24 M. Brent Byars

25  
 26  
 27  
 28 DECLARATION OF M. BRENT BYARS IN SUPPORT OF EPIC GAMES, INC.'S ADMINISTRATIVE MOTION TO  
 CONSIDER WHETHER ANOTHER PARTY'S MATERIAL SHOULD BE SEALED

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